

## **Title 8**

### **ANIMALS**

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## Chapter 8.04

### DOGS

#### Sections:

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#### **8.04.010 Definitions.**

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

At large. A dog is considered to be running “at large” when such dog is off the premises of the owner and not under the control of the owner, either by leash, cord, chain or otherwise; provided that a dog shall not be considered running “at large” when:

A. The dog is off the premises of the owner, if such dog shall be accompanied by the owner and the owner shall have full command of such dog; or

B. The dog is a hunting dog and is in chase or in training and accompanied by a responsible person.

“Board of health” means the metropolitan board of health of the metropolitan government of Nashville and Davidson County, Tennessee.

“Department” means the department of health of the metropolitan government of Nashville and Davidson County, Tennessee, and shall include the board, agents, employees and activities.

“Director” means the chief medical director or his designated representative.

“Dog” means all members of the dog family, including both male and female.

“Owner” means any person having a right of property in a dog, or who keeps or harbors a dog, or who has it in his care, or acts as its custodian, or who permits a dog to remain on or about any premises.

“Vaccination” means the process whereby an animal is immunized against rabies using a vaccine and a technique approved by the board of health. (Prior code § 8-1-2)

#### **8.04.020 Rabies vaccination required.**

It is unlawful for any owner to keep, harbor or permit to remain on or about any premises any dog over six months of age which has not been vaccinated against rabies as required by the board of health. A certificate of such vaccination shall be issued by a licensed veterinarian duly authorized to administer such a vaccination, and such certificate shall be kept by the person who owns, keeps, harbors such dog, subject to the inspection of the chief medical director. In those instances where the issuance of a license, as provided in Section 8.04.040, may be accomplished at the same time the dog is vaccinated, such as at the annual rabies clinics sponsored by the department of health, the issuance of a certificate of vaccination may be dispensed with, although the same will be issued upon request. (Prior code § 8-1-3)

#### **8.04.030 Rabies vaccination—Administration—Standards.**

It shall be the duty of the veterinarian, duly licensed by the state board of veterinary medical examiners and approved by the board of health, to administer such a vaccination and to perform the vaccination in such a manner as meets the standards of the metropolitan board of health. The board of health will consult with the Davidson County Academy of Veterinary Medicine in determining the type or types of vaccine to be used, standards prescribed for the vaccine and to determine the frequency and method of its administration. This section shall apply only to the administration of the annual rabies clinic sponsored by the department of health. (Prior code § 8-1-4)

**8.04.040 Licenses—Fees—Expiration—  
Exceptions for kennel operators.**

A. Any person owning, keeping or harboring on the premises where they reside, any dog six months of age or over, shall pay to the chief medical director a fee of four dollars for each dog owned, kept or harbored. All licenses issued shall be valid for twelve months and shall expire on the last day of the month issued of the following year.

B. 1. Persons operating kennels where dogs are bred for sale shall not be required to pay the above license fee, but in lieu thereof shall pay a license fee as kennel keeper as follows:

- a. For each kennel of less than ten dogs, twenty dollars per year or any fraction thereof;
- b. For each kennel of from ten to twenty dogs, twenty dollars per year or any fraction thereof;
- c. For each kennel of over twenty dogs, thirty dollars per year, or any fraction thereof.

2. At the time such license fee is paid, there shall be presented to the department of health, at the time of making the application, an affidavit showing under oath the number of dogs to be kept at the kennel for which application is made. All sums collected hereunder shall be collected by the chief medical director annually on or before April 1st, or at such time as the kennel shall be open for operation, as provided herein. (Amdt. 1 to Ord. 89-995, 10/17/89; Ord. 89-995 § 1, 1989; prior code § 8-1-5)

**8.04.050 Collection and disposition of fees.**

It shall be the duty of the chief medical director to collect all fees imposed under this chapter. The chief medical director shall appoint certain officials as may be necessary to work in cooperation with and under the supervision of the director of finance to establish and prescribe the times and manner in which the fees received shall be deposited in the general fund. (Prior code § 8-1-17)

**8.04.060 Licenses—Issuance—Records.**

It shall be the duty of the chief medical director to collect the license fees under this chapter. He shall, in a well bound book to be furnished by the metropolitan government, record the name of each owner of any dog, the date and amount of such payment, the description and sex of each dog on which a license fee is paid, the license tag number issued by him for such dog and the date when such dog was vaccinated. Unless such certificate of vaccination is exhibited at the time request is made for a license, the chief medical director shall issue no license, except as provided in Section 8.04.020. On receipt of the payment of the license fee, the chief medical director shall

issue to the person paying the same a receipt to be furnished by the metropolitan government, showing the name of the owner of the dog or kennel on which such license fee is paid, the date and amount of such payment, the license tag number issued for each dog and the date of vaccination of such dog, and shall deliver to the owner a license tag bearing the serial number and the year for which the license fee is paid. (Prior code § 8-1-7)

**8.04.070 License tags.**

Dog license tags issued pursuant to this chapter shall be supplied by the department of health, to be made available in its budget, out of the revenues of the metropolitan government. It shall be the duty of the owner to attach such license tag to a collar which shall be worn at all times by each dog licensed. In the event of the loss of such license tag, the department of health shall issue a duplicate tag, for which the owner shall pay a fee of two dollars, and such duplicate tags shall be forthwith attached to the dog collar and at all times worn thereon; provided, that the collar may be removed in cases of hunting dogs while in chase or while in training. A dog tag shall not be transferable from one dog to another. No refunds shall be made on any dog license fee. (Ord. 89-995 § 2; prior code § 8-1-8)

**8.04.080 Failure to pay license fee.**

It is unlawful for any person or owner to keep or harbor any dog for which a license fee on such dog has not been paid as required by this chapter. (Prior code § 8-1-6)

**8.04.090 Confinement required—Female dogs  
in heat.**

Every owner of a female dog is required to confine the same during the time she is in heat. The confinement required by this section shall be such that other dogs may not get to the female dog. It is unlawful for any owner of a female dog not to so confine such dog as required by this section. (Prior code § 8-1-12.1)

**8.04.100 Confinement required—Animals  
suspected of having rabies.**

If any animal has bitten any person, or is suspected of having bitten any person, or is for any reason suspected of being infected with rabies, the department of health may cause the animal to be confined or isolated for such time as it is deemed necessary by the chief medical director to protect the safety of people and of property. Such confinement or isolation shall be at a place designated by the chief medical director. (Prior code § 8-1-12)

#### **8.04.110 Running at large prohibited—Seizure of animals.**

A. Any dog found running at large may be seized by the proper authorities of the health and police departments of the metropolitan government or, within the area of their respective jurisdiction, by employees of satellite cities who have been duly appointed to do same by the city manager or governing body of the satellite city. A dog is considered to be running at large when such dog is off the premises of the owner and not under the control of the owner, either by leash, cord, chain or otherwise; provided, that a dog shall not be considered running at large when the dog is off the premises of the owner if such dog shall be accompanied by the owner and the owner shall have full command of such dog or the dog is a hunting dog and is in chase or in training and accompanied by a responsible person.

B. It is unlawful for any person to allow a dog belonging to him or under his control, or who keeps or harbors a dog, or who has it in his care, or acts as its custodian, or that may be habitually found on premises occupied by him, to run at large, and any such person whose dog is found to be running at large shall be guilty of a misdemeanor and subject to the penalty and punishment set out in Title 1 of this code.

C. When any person is charged with a violation of this section, the chief medical director, or his designated representative, is authorized to issue citations for such violations. When a citation is issued for a violation of this section, it shall be the duty of the metropolitan court in which such case is set for trial to try the same without the issuance or service of a warrant upon such defendant, provided the defendant has signed a waiver on such citation agreeing to come to court and waiving the issuance and service of a warrant upon him.

D. The penalties for violation of this section shall be as follows:

1. First Violation. The penalty for the first violation of this section shall be not less than fifty dollars per dog in violation. This penalty may be waived by the court upon proof in the form of a certificate from a licensed veterinarian verified by the metropolitan health department that each dog in violation has been spayed or neutered.

2. Second Violation. The penalty for the second violation of this section shall be not less than seventy-five dollars for each dog in violation.

3. Third Violation. The penalty for the third violation of this section shall be not less than one hundred and fifty dollars for each dog in violation. Further the court shall order that any outside area of the owner's premises in which the dog or dogs may be kept shall be enclosed by a fence.

4. Fourth Violation. The penalty for the fourth violation of this section shall be not less than two hundred dollars for each dog violation and the court shall order that any outside area of the owner's premises in which the dog or dogs might be kept or placed even if on a temporary basis shall be enclosed by fencing that is verified as secure by the metropolitan health department.

5. Fifth Violation. The penalty for the fifth violation of this section shall be a penalty of five hundred dollars and the dog or dogs shall be seized and impounded by the metropolitan health department, and shall not be released to the owner, and shall otherwise be disposed of in the manner provided by Section 8.04.140 of the Metropolitan Code of Law. (Ord. 99-1808 § 1, 1999; Ord. 89-995 § 3, 1989; prior code § 8-1-9)

#### **8.04.120 Authority to impound dogs.**

All police officers and rabies control officers or duly authorized employees of satellite cities within their respective jurisdictions, shall have the right to take up and put into the pound of the metropolitan government any dog found in violation of any provision of this chapter. However, before employees of a satellite city shall place a dog in the pound, such satellite city shall have an agreement with the metropolitan health department governing the impoundment and disposition of such dog. (Prior code § 8-1-14)

#### **8.04.130 Impoundment fees—Redemption.**

A. When any dog is found running at large it shall be impounded, and the owner, if the dog bears a tag, shall be sent by mail a postcard addressed to the last known mailing address, to appear within seven days and redeem his dog. He shall pay, for each dog seized and impounded an impoundment fee of eleven dollars and boarding fee of four dollars per day for each day or fraction thereof the dog remains unclaimed. Should the same animal be picked up a second time within twelve months of the first offense and the owner appears to redeem his dog he shall pay for each day so seized and impounded an impoundment fee of twenty-five dollars and a boarding fee of four dollars per day for each day or fraction thereof the dog remains unclaimed. Should the same animal be picked up for a third time within twelve months of the first offense and the owner appears to redeem his dog he shall pay for each day so seized and impounded an impoundment fee of fifty dollars and a boarding fee of four dollars per day for each day or fraction thereof the dog remains unclaimed. If the dog so seized has not been vaccinated, the owner shall, before he is permitted to regain possession of the dog, have the dog vaccinated and licensed and present the license registration to the pound authority.

B. Notwithstanding subsection A of this section, the owner of any vicious dog or any dog impounded in accordance with Section 8.04.100 who appears to redeem his dog shall pay an impoundment fee of twenty-five dollars and a boarding fee of four dollars for each day or fraction thereof. (Ord. 89-995 § 4, 1989; prior code § 8-1-10)

#### **8.04.140      Disposition of unclaimed or unlicensed dogs.**

A. It shall be the duty of the chief medical director to keep any licensed dog impounded for running at large or impounded under Section 8.12.060 for a period of seven days from the date notice is mailed to the owner of record as determined by the license. Any unlicensed dog that is impounded shall be kept for a period of three working days beginning with the date of seizure. At the expiration of the applicable period of days such impounded dog may be disposed of as follows:

1. Whenever any individual shall apply to the department of health for permission to adopt or buy any impounded dog remaining unclaimed, the chief medical director may sell to the individual such unclaimed dogs or surrender such dogs to the individual for adoption upon a payment of a fee set by the board of health.

2. Whenever any dogs remain unclaimed, such dogs may be destroyed in a manner to be determined by the chief medical director.

B. Any person who does not desire to pay the license fee, provided by this chapter upon any dog owned, kept or harbored on premises owned by him shall bring such dog to the pound operated by the metropolitan government to be disposed of.

C. Notwithstanding subsection A of this section, the chief medical director, upon the advice of a licensed veterinarian, may dispose of a dog immediately if he/she determines the dog is suffering from rabies or other infectious or dangerous diseases, or is in misery, or if he/she determines such immediate disposition furthers the public's health and safety. (Amdts. 1, 2 with Ord. 99-1796 § 1, 1999)

#### **8.04.150      Concealment of dogs.**

No person shall hide, conceal or aid or assist in hiding or concealing any dog owned, kept or harbored in violation of any of the provisions of this chapter. (Prior code § 8-1-13)

#### **8.04.160      Interfering with police officers or health department officials unlawful.**

It is unlawful for any person to interfere with or hinder any police officer or any official of the health department,

including the dog catcher, in the discharge or apparent discharge of his duty enforcing the provision of this chapter. (Prior code § 8-1-15)

#### **8.04.170      Exemption from chapter—Dogs in transport.**

An owner transporting a dog through the metropolitan government area is exempt from the provisions of this chapter; provided, that such dog shall be securely confined or on a leash during its transportation through the metropolitan government area; and provided further, that such dog shall not remain in the metropolitan government area for more than thirty days. (Prior code § 8-1-16)

#### **8.04.180      Removal of excrement.**

A dog owner shall clean up and remove any excrement left by his or her dog(s) on any public property or private property not owned or lawfully possessed by the dog owner. Violations of this section shall be punishable by a fifty-dollar fine. (Amdt. 1 with Ord. BL2004-302 § 1, 2004)

### **Chapter 8.08**

#### **VICIOUS DOGS**

##### **Sections:**

<b>8.08.010</b>	<b>Definitions.</b>
<b>8.08.020</b>	<b>Guard dogs.</b>
<b>8.08.030</b>	<b>Vicious dogs prohibited.</b>
<b>8.08.040</b>	<b>Impoundment—Authorized when—Fees.</b>
<b>8.08.050</b>	<b>Impoundment—Court proceedings against owner.</b>
<b>8.08.060</b>	<b>Complaints of violations—Court findings.</b>

##### **8.08.010      Definitions.**

A. For the purpose of this chapter, the following terms have the following meanings:

“Bite” means a puncture or tear caused by the teeth of an animal resulting in a break of the skin sufficient to cause blood to be present in the wound.

“Confined” means securely confined indoors, or confined outdoors in a securely enclosed locked pen or structure upon the premises of the owner of such dog. Such pen or structure must have secure sides, a secure top and provide for appropriate shading. If the pen or structure has no bottom secured to the sides, the sides must be set in concrete no less than eighteen inches in the ground. The size of the pen must be of sufficient size to house and

shelter the said dog comfortably but no smaller than ten feet by ten feet.

“Guard dog” means any dog trained or used to protect persons or property by attacking or threatening to attack any person found within the area patrolled by the dog.

“Provocation” means any act that causes an animal to bite or attack to protect itself, offspring, owner or property.

“Vicious dog” means any dog which attacks and bites a person or animal on any public or private property without provocation; any dog previously declared vicious in a court of law; or any dog owned or harbored primarily or in part for the purpose of dog fighting.

B. Except as provided above, all other terms shall have the meaning as provided in Section 8.04.010 of the Metropolitan Code. (Amdt. 1 §§ 1 and 2 with Ord. 2001-842 § 2 (part), 2001: Ord. 89-737 § 1, 1989)

#### **8.08.020 Guard dogs.**

It is unlawful for any person to place or maintain guard dogs in any area of the metropolitan government for the protection of persons or property unless the following provisions are met:

A. The guard dog shall be confined; or

B. The guard dog shall be under the absolute control of a handler at all times when not confined by way of lead or leash.

C. The owner or other persons in control of the premises upon which a guard dog is maintained shall post warning signs stating that such a dog is on the premises. At least one such sign shall be posted at each driveway or entranceway to said premises. Such signs shall be in lettering clearly visible from either the curb line or a distance of fifty feet, whichever is less, and shall contain a telephone number where some person responsible for controlling such guard dog can be reached twenty-four hours a day.

D. The above provisions shall not be applicable to (1) dogs used in law enforcement by federal, state or local law enforcement agencies or (2) dogs used by licensed security firms which have sufficient training as shall be certified by the director of metro animal services. (Amdt. 1 § 3 with Ord. 2001-842 § 2 (part), 2001: Ord. 89-737 § 4, 1989)

#### **8.08.030 Vicious dogs prohibited.**

It is unlawful for any person to keep or harbor a vicious dog within the area of the metropolitan government unless said dog is confined. (Ord. 2001-842 § 2 (part), 2001: Ord. 89-737 § 2, 1989)

#### **8.08.040 Impoundment—Authorized when—Fees.**

Any vicious dog, not in compliance with the provisions of Section 8.08.030 may be taken into custody by the appropriate authorities of the department of health or of the metropolitan police department and impounded. The fees imposed by Section 8.04.130 of the Metropolitan Code shall be imposed upon and paid by the owner of such vicious dog so impounded to cover the costs of the metropolitan government in impounding said dog. (Ord. 2001-842 § 2 (part), 2001: Ord. 89-737 § 3(a), 1989)

#### **8.08.050 Impoundment—Court proceedings against owner.**

A. Upon receipt of a vicious dog complaint, the division of metro animal services shall investigate said complaint. No dog that is the subject of a vicious dog investigation may be relocated or ownership transferred pending the outcome of said investigation. Each vicious dog complaint shall be subject to the review of the director of metro animal services or his/her designee prior to initiating any action against the dog’s owner.

B. If the director of metro animal services has probable cause to believe that a dog is in violation of any provision of the chapter, the animal shall be impounded at the metro animal services facility or a licensed veterinary clinic in Davidson County. The owner of the dog shall be charged with violating this chapter, and proceedings initiated in the metropolitan general sessions court against the owner. (Ord. 2001-842 § 2 (part), 2001: Ord. 89-737 § 3(b), 1989)

#### **8.08.060 Complaints of violations—Court findings.**

If a complaint has been filed in the metropolitan general sessions court against the owner of a dog for violation of this chapter, the dog shall not be released from impoundment or disposed of except on order of the court, payment of all charges and costs under this chapter, including penalties for violating this chapter. The court may, upon making a finding that the dog is a vicious dog pursuant to this chapter, order (a) the dog released from impoundment, provided the owner shall within three days after the dog has been declared vicious, provide proof that a proper enclosure to adequately confine said vicious dog has been built subject to inspection by the director of metro animal services or his/her designee; (b) the dog is transported directly from metro animal services to a licensed veterinarian where said dog shall be either tattooed or implanted with an electronic microchip for identification, a copy of the information contained thereon to be provided to the division of metro animal services; or

(c) the dog be destroyed in a humane manner by the division of metro animal services. (Ord. 2001-842 § 2 (part), 2001: Ord. 89-737 § 3(c), 1989)

## **Chapter 8.12**

### **MISCELLANEOUS ANIMAL CONTROL REGULATIONS**

#### **Sections:**

- 8.12.010 Keeping of animals that disturb the peace.**
- 8.12.020 Keeping of chickens.**
- 8.12.030 Cruelty to animals prohibited.**
- 8.12.040 Animal baiting or fighting prohibited.**
- 8.12.050 Inhumane transportation of animals.**
- 8.12.060 Impoundment.**
- 8.12.070 Authority for chemical capture.**

#### **8.12.010 Keeping of animals that disturb the peace.**

A. It is unlawful for any person to keep any animal, dog, bird or fowl which, by causing frequent or loud continued noise, disturbs the comfort or repose of any person in the vicinity.

B. Violation of this section shall be declared to be public nuisance which violation may be enjoined by any court of competent jurisdiction. (§ 2 of Amdt. 1 to Ord. 90-1275, 7/17/90; Ord. 90-1275 §§ 1, 2, 1990)

#### **8.12.020 Keeping of chickens.**

No person shall keep chickens within the metropolitan government area in such a manner that a nuisance is created. (Prior code § 8-1-1)

#### **8.12.030 Cruelty to animals prohibited.**

A. No person shall intentionally or willfully or knowingly kill, maim, torture, torment, grossly overwork or overload or cause any of the actions stated herein to be committed.

B. No person shall fail unreasonably or cause another person to fail unreasonably to provide adequate food, water, care or shelter to any animal in the person's custody or to abandon any animal in the person's custody. For the purposes of this section, "shelter" shall mean a structure or enclosure which provides an animal with protection from the elements (weather), which structure or enclosure must have a roof, floor and three sides, and be of sufficient size

as to allow each animal to stand up, lie down and turn around in a natural position.

C. No person shall allow any animal to remain confined in such a manner as to unreasonably restrict the animal's ability to move. No person shall allow any dog to remain confined by way of rope, chain or cord that is less than fifteen feet in length.

D. No person shall administer any poisonous or noxious substance to any animal or expose any such substance with intent that the same shall be taken by an animal, whether such animal be the property of himself or another, except when the animals exposed or administered such substances are rodents, fowl or other animals which pose a significant health hazard to the public.

E. Any police officer or any employee of the metropolitan government authorized to enforce the provisions of Chapter 8.04 and 8.08 of the Metropolitan Code of Laws may lawfully interfere to prevent the perpetration of any act of cruelty as defined herein upon any animal in his presence. No person shall interfere with or obstruct any such officer or employee in the discharge of his duty. (Amdt. 1 and 2 with Ord. 2001-843 § 1, 2001: Ord. 99-1776 § 2 (part), 1999)

#### **8.12.040 Animal baiting or fighting prohibited.**

A. No person shall own, possess, keep, use or train any bull, bear, cock, dog or other animal for the purpose of fighting, baiting or injuring another such animal for amusement, sport or gain.

B. No person shall knowingly cause or permit on any premises under the person's charge or control, any act prohibited in subsection A of this section. (Ord. 99-1776 § 2 (part), 1999)

#### **8.12.050 Inhumane transportation of animals.**

A. No person shall carry, or cause to be carried in or upon any vehicle or other conveyance, any creature in a cruel or inhumane manner.

B. Whenever any person in violation of subsection A of this section is taken into custody by an officer, the officer may take charge of such vehicle or other conveyance and its contents, and deposit the same in some safe place of custody. Any necessary expense incurred for taking charge of and keeping and sustaining the vehicle or other conveyance and its contents shall be paid before the vehicle or other conveyance can be recovered. (Ord. 99-1776 § 2 (part), 1999)

#### **8.12.060 Impoundment.**

Any animal that is found to be treated in violation of Sections 8.12.030, 8.12.040, and 8.12.050 may be impounded by any police officer or employee of the

metropolitan government authorized to enforce the provisions of Chapters 8.04 and 8.08 of the Metropolitan Code of Laws for the protection of the animal. Any animal so impounded shall be handled in accordance with the procedures of and may be disposed of in the same manner provided in Section 8.04.140 of the Metropolitan Code of Laws. (Amdt. 1 with Ord. 99-1776 § 2 (part), 1999)

**8.12.070 Authority for chemical capture.**

Animal control officers employed by the division of metropolitan animal control services may utilize equipment necessary in the chemical capture of animals that cannot be subdued by other means provided that such officers have successfully completed a minimum of eight hours of training approved by the National Animal Control Association or similar agency. For the purpose of this section, the phrase “chemical capture” means the impoundment of any animal using a tranquilizing drug in a humane manner, which renders the animal temporarily immobile. (Ord. 2001-843 § 2, 2001)

## **Chapter 8.16**

### **WILDLIFE**

**Sections:**

- 8.16.010 Definitions.**
- 8.16.020 Keeping wildlife—Prohibited when.**
- 8.16.030 Exceptions.**
- 8.16.040 Keeping wildlife—Certificate required—Fee.**
- 8.16.050 Certificate—Council approval.**
- 8.16.060 Certificate—Renewal.**

**8.16.010 Definitions.**

A. For the purpose of this chapter, the following terms shall have the following meanings:

“Possess or possessing” means possession, keeping, harboring or permitting to remain.

“Wildlife” means any Class I or Class IV wildlife as classified by Tennessee Code Annotated, Section 70-4-402, and shall also mean pumas, cheetahs, cougars and wolves.

B. Except as provided above, all other terms shall have the meaning as provided in Section 8.04.010 of this code.

C. Provided, however, the provisions of this chapter shall not be applicable for any premises within the area of the metropolitan government that contain three or more acres. (Prior code § 8-1-18)

**8.16.020 Keeping wildlife—Prohibited when.**

It is unlawful for any person to possess wildlife on or about their premises within the area of the metropolitan government except as provided in this chapter. (Prior code § 8-1-19)

**8.16.030 Exceptions.**

The provisions of this chapter shall not prohibit the possession of wildlife by zoos, transient circus acts, schools, colleges, educational and research institutions and animal rehabilitation centers; and no certificate shall be required. (Prior code § 8-1-22)

**8.16.040 Keeping wildlife—Certificate required—Fee.**

Any person possessing wildlife on or about any premises within the area of the metropolitan government shall make application to the director of the board of health. Such certificate shall contain such information as may be required by the director. A fee in the amount of fifty dollars shall be paid to the board of health with said application. (Prior code § 8-1-20)

**8.16.050 Certificate—Council approval.**

Upon receipt of an application to possess wildlife within the area of the metropolitan government, the director prior to issuing such certificate permitting same, shall file a resolution seeking approval of the issuance of such certificate with the metropolitan county council. In the event no action is taken upon said resolution within sixty days, the director may issue the certificate. In the event the resolution does not receive a favorable vote of the majority of the entire membership of the metropolitan council, said certificate shall be denied. (Prior code § 8-1-21)

**8.16.060 Certificate—Renewal.**

A certificate issued under the provisions of this chapter shall be valid for a period of one year from the date of issuance and may be renewed on annual basis upon the payment of a twenty-five dollar renewal fee. Unless said wildlife is moved to a new location, council approval of said renewal shall not be required. (Prior code § 8-1-23)



## Chapter 8.20

### ANIMAL CONTROL REGULATIONS—URBAN SERVICES DISTRICT

#### Sections:

- 8.20.010 License tag—Removal prohibited.**  
No person shall remove the license tag from the neck of any licensed dog. (Prior code § 8-2-1)
- 8.20.020 Treatment for persons bitten by rabid dog recommended—Expenses paid when.**  
When it is reported that a rabid dog has bitten one or more person, it shall be the duty of the chief medical director to investigate the report and recommend treatment for those who, in his opinion, need it. As far as funds will permit, free treatment shall be given to those needing it after the chief medical director has satisfied himself that the person is unable to bear the expense himself. (Prior code § 8-2-2)
- 8.20.030 Animals exposed to rabies—Confinement required.**
- 8.20.040 Care of confined animals.**
- 8.20.050 Running at large of certain animals prohibited.**
- 8.20.060 Fowl at large prohibited—Impoundment.**
- 8.20.070 Impounded fowl—Redemption—Sale.**
- 8.20.080 Impounded animals—Redemption—Sale.**
- 8.20.090 Moneys collected—Poundmaster's duties.**
- 8.20.100 Keeping livestock—Permit required—Regulation by department of health.**
- 8.20.110 Cattle quarters—Health regulations.**
- 8.20.120 Sale of livestock on streets.**
- 8.20.130 Keeping of hogs prohibited.**
- 8.20.170 Killing birds and squirrels prohibited.**

#### **8.20.030 Animals exposed to rabies—Confinement required.**

It shall be the duty of the chief medical director to find those dogs or other animals known or suspected of having been in close contact or a fight with a rabid dog, and unless the owners of these dogs or other animals keep them confined for a period of six months and, in cases where a dog or other animal is known to have been bitten by a mad dog, have protective inoculation given, then the owner shall turn the dog or other animal over to the department of health so that it may be destroyed. (Prior code § 8-2-3)

#### **8.20.040 Care of confined animals.**

Any person who shall impound or cause to be impounded, in any pound or other place, any creature, shall supply to the same during such confinement a sufficient quantity of good, wholesome food and water. (Prior code § 8-2-6)

#### **8.20.050 Running at large of certain animals prohibited.**

No person shall permit any dangerous or mischievous animal to run at large. No cattle, sheep, horse, goat, mule or hog or any offensive animal shall be allowed by any owner or by any person having charge of the same to go at large in any street or public place in the urban services district. (Prior code § 8-2-9)

#### **8.20.060 Fowl at large prohibited—Impoundment.**

A. It is unlawful for the owner or the person in charge of any chickens, ducks, geese, turkeys or other domestic fowl, to permit them to run at large in any street, alley, public square, public place or unenclosed lot within the urban services district.

B. The department of health shall cause any fowl so running at large to be taken up and put in the metropolitan pound. It shall be the duty of the department of health and poundmaster and their assistants to take up such fowl and transport the same to the pound. (Prior code § 8-2-14)

#### **8.20.070 Impounded fowl—Redemption—Sale.**

A. If within three days from the day any fowl are put into the pound, the owner or person in charge thereof calls for the same, such fowl shall be delivered to him upon payment of twenty-five cents for each fowl so impounded.

B. If no one claims such fowl within the period of three days, the department of health shall cause a notice to be inserted in some newspaper published in the metropolitan government area for one publication, briefly

describing the fowl, and giving notice that unless redeemed, the same will be sold at public sale. Separate notices shall not be required for each fowl, but any number of same, whether taken up at the same time and place or otherwise, may be advertised in the same notice. Unless such fowl so advertised are redeemed by the payment of the pound fees abovementioned and an additional charge of ten cents per head for each day after the expiration of the first three days, they shall be sold on the day named in the notice, which day of sale shall not be less than two days after publication. Such sale shall be at public auction, to the highest bidder for cash, of which sale a record containing a brief description of the fowl sold, the price paid and the name of the purchaser shall be kept at the office of the department of health. The proceeds of such sale shall be received by the department of health and paid over each day to the metropolitan collections officer, who shall hold such funds subject to the order of the owners of the fowl, after retaining enough to pay all fees, costs and charges as herein provided, including costs of advertisement. (Prior code § 8-2-15)

**8.20.080 Impounded animals—Redemption—Sale.**

A. If, within three days from the day an animal is impounded, the owner or person in charge thereof calls for the same, such animal shall be delivered to him upon the payment of three dollars for each head of swine, goats or sheep, or four dollars and fifty cents for each head of cattle, horses, mules or cows so impounded.

B. If no one claims the same within the period of three days, the department of health shall cause a notice to be inserted in some daily newspaper in the metropolitan government area for three successive days, briefly describing the animal and giving notice that unless redeemed the same will be sold at public sale. All animals not redeemed by the payment of the pound fees aforesaid and one dollar and fifty cents per head for each day after the expiration of the first three days shall be sold on the day named in the notice at public auction to the highest bidder for cash, of which sale a record containing a brief description of the property sold, the price paid and the name of the purchaser shall be kept in the office of the department of health. The proceeds of such sale shall be paid over each day to the metropolitan collections officer, who shall hold such funds subject to the order of the owner of the animal, after retaining enough to pay all fees, costs and charges, including the cost of advertising as hereinbefore provided. (Prior code § 8-2-17)

**8.20.090 Moneys collected—Poundmaster's duties.**

The poundmaster shall keep in the office a proper book, showing the time, number and kind of animals brought into the pound and by whom the same are redeemed, or what disposition shall have been made of same, also the amount paid and cost of feed, etc., furnished for each animal impounded. He shall pay once every week, should he have any funds on hand, the balance to the metropolitan collection officer, taking a receipt for the same, which he shall safely file in his office. (Prior code § 8-2-16)

**8.20.100 Keeping livestock—Permit required—Regulation by department of health.**

A. No person shall keep any cattle, cows, sheep, horses, mules or goats in the urban services district within one thousand feet of any residence or place of business, without a permit to do so from the chief medical director. The chief medical director shall issue permits only when the keeping of such animals in the yards or buildings and under the circumstances set forth in the applications for the permit shall not injuriously affect the public health.

B. It is unlawful for any owner, agent or occupant of any stable, stall or apartment in which any horse, cattle or swine or any other animal shall be kept, or in any place in which manure or any liquid discharge of such animals shall collect or accumulate, to fail to comply with the notice of the department of health to cleanse, remove or repair such stable, stall or apartment or to keep the same in a sanitary condition. (Prior code § 8-2-11)

**8.20.110 Cattle quarters—Health regulations.**

No cattle shall be kept within the urban services district in any place of which the water, ventilation and food are not sufficient and wholesome for the preservation of their health, safe condition and wholesomeness as food. (Prior code § 8-1-12)

**8.20.120 Sale of livestock on streets.**

It is unlawful for any person to sell, offer to sell, buy or offer to buy, upon any street, lane or alley within the urban services district, any livestock of any description whatever; provided, that this section does not include sales or purchases or offers to sell or purchase livestock not present on the streets, lanes or alleys when the sales or purchases or offers of same are made. (Prior code § 8-2-13)

**8.20.130 Keeping of hogs prohibited.**

The keeping of hogs by any person within the urban services district is declared to be a nuisance and unlawful;

provided, that nothing in this section shall be construed to prevent a duly licensed stockyard, abattoir or packing house from temporarily keeping hogs for the purpose of slaughtering, packing or shipping in interstate or intrastate commerce. (Prior code § 8-2-10)

**8.20.170        Killing birds and squirrels prohibited.**

It is unlawful for any person to kill or attempt to kill any bird, game or nongame (except English sparrows), squirrels or any other animal, in any of the public parks (including the Custom House Park and the Capitol Hill Park) or in any of the cemeteries, public or private, within the urban services district. (Prior code § 8-2-8)

**Chapter 8.24**

**ANIMAL CONTROL REGULATIONS—SECOND CIVIL DISTRICT**

**Sections:**

**8.24.010        Keeping hogs—Permit required when.**

**8.24.010        Keeping hogs—Permit required when.**

In the second civil district, no person shall keep any hogs within one thousand feet of any residence or place of business, without a permit to do so from the chief medical director. (Prior code § 8-3-1)